



**HISTORIC LANDMARKS COMMISSION
HEARING SYNOPSIS**

WEDNESDAY, JULY 2, 2003

**Evening Session
6:00 P.M.
City Council Chambers
City Hall, Room 205
801 North First Street
San Jose, CA**

COMMISSION MEMBERS

**GLORIA SCIARA, CHAIR
STEPHEN POLCYN, VICE CHAIR**

**AVELINO LEGASPI
MICHAEL YOUMANS**

**SANDRA PAIM
JUSTINE LEONG**

EDWARD JANKE

**STEPHEN M. HAASE, AICP, DIRECTOR
DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE) or (408) 998-5299 (TTY) at least two business days before the meeting.

NOTICE TO THE PUBLIC

Good evening, my name is **Gloria Sciara**, and I am the Chair of the Historic Landmarks Commission. On behalf of the Commission, I would like to welcome you to tonight's meeting. I will now call to order the **July 2, 2003** meeting of the Historic Landmarks Commission. Please remember to turn off your cell phones and pagers.

When addressing the Commission, please approach the Commission, identify yourself and state your address for our records. After you have finished speaking, please write your name and address on the speaker's list at the table.

The procedure for public hearings is as follows:

- ? After the staff report, applicants may make a five-minute presentation.
- ? Anyone wishing to speak in favor of the proposal should prepare to come forward. Each speaker will have two minutes.
- ? After the proponents speak, anyone wishing to speak in opposition should prepare to come forward. Each speaker will have two minutes.
- ? Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- ? The Commission will then close the public hearing. The Historic Landmarks Commission will take action on the item.

The procedure for referrals is as follows:

- ? Anyone wishing to speak on a referral will be limited to one minute.
- ? Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- ? The Historic Landmarks Commission will comment on the referral item.

If a Commissioner would like a topic to be addressed under one of the Good and Welfare items, please contact Planning staff in advance of the Commission meeting.

An agenda and a copy of all staff reports have been placed on the table for your convenience.

AGENDA

ORDER OF BUSINESS

6:00 PM SESSION

1. ROLL CALL

ALL PRESENT (7-0-0)

2. DEFERRALS

Any item scheduled for hearing this evening for which deferral is being requested will be taken out of order to be heard first on the matter of deferral. A list of staff-recommended deferrals is available on the table. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time.

The matter of deferrals is now closed.

3. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by a member of the Historic Landmarks Commission, staff or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please make your request at this time.

- a. Approval of the June 4, 2003 Historic Landmark Commission Synopsis.

APPROVED (7-0-0)

The Consent Calendar is now closed.

4. PUBLIC HEARINGS

- a. Discussion and action regarding election of Historic Landmark Commission Chair and Vice Chair for a one-year term.

**NOMINATION TO RE-ELECT CURRENT CHAIR AND VICE-CHAIR
for one-year term until June 2004.**

APPROVED (7-0-0)

- b. Review and recommendation regarding the Redevelopment Agency referral of the proposed Downtown San Jose Historic District Design Guidelines for the area generally bounded by Santa Clara, Fourth, San Fernando, and Market Streets, to the San Jose Redevelopment Agency Board and City Council. Council District 3. SNI: None. CEQA: Exempt.

DOLORES MELLON, REPRESENTING THE REDEVELOPMENT AGENCY, NOTED CHANGES AND MODIFICATIONS REFLECTED IN THE MOST CURRENT VERSION OF THE GUIDELINES. THE REDEVELOPMENT AGENCY WILL ADD ADDITIONAL MATERIALS TO THE MATERIALS SECTION ON PAGE 72 OF THE DESIGN GUIDELINES. THEY ARE TO INCLUDE LIMESTONE, PLASTER, CAST STONE, AND CONCRETE.

JUDITH HENDERSON, REPRESENTING PRESERVATION ACTION COUNCIL OF SAN JOSE, REVIEWED THE COMMENTS INCLUDED IN THEIR LETTER DATED JULY 1, 2003 TO THE HISTORIC LANDMARKS COMMISSION. SHE HAD ADDITIONAL COMMENTS OR QUESTIONS REGARDING A SUBJECTIVE COMMENT ON REMODELS (PAGE 22), THE USE OF USED BRICK (PAGE 27), THE LAST SENTENCE FOR ROOFTOP ADDITIONS (PAGE 29), AND INCORPORATION OF DEFINITIONS FOR VARIOUS DESIGNATIONS AND NOMINATION PROCEDURES. SHE ALSO ENCOURAGED THE INITIATION OF THE PROCESS TO DESIGNATE THE DOWNTOWN COMMERCIAL DISTRICT AS A CITY LANDMARK DISTRICT.

THE COMMISSION THANKED STAFF FOR THEIR EFFORT AND HARD WORK ON THE GUIDELINES. VARIOUS COMMISSIONERS HAD COMMENTS OR QUESTIONS REGARDING THE GUIDELINES ADOPTION PROCESS, PUBLIC OUTREACH, ANTICIPATED LIFE EXPECTANCY OF THE GUIDELINES, AND FOLLOW UP CLARIFICATION ON PAC-SJ COMMENTS. THEY REQUESTED STAFF TO ADDRESS THE PAC-SJ COMMENTS.

MS. MELLON REVIEWED EACH OF THE PAC-SJ COMMENTS AND NOTED THAT ALL OF THE COMMENTS WERE ACCEPTABLE WITH THE EXCEPTION OF “PAGE 25 & 27”, REGARDING USE. STAFF CLARIFIED THAT THESE GUIDELINES ARE NOT INTENDED TO ADDRESS LAND USE ISSUES, BUT ARE ATTEMPTING TO ADEQUATELY ADDRESS THE TYPES OF DESIGN ISSUES EXPECTED DUE TO THE ANTICIPATED OR DESIRED LAND USES.

THE HISTORIC LANDMARKS COMMISSION VOTED UNANIMOUSLY (7-0) TO RECOMMEND APPROVAL OF THE DOWNTOWN SAN JOSE HISTORIC DISTRICT DESIGN GUIDELINES INCORPORATING THE COMMENTS OF PAC-SJ, WITH THE EXCEPTION OF THOSE ON

PAGES 25 AND 27. THE HLC ACTION DID NOT ACT ON THE DESIGNATION AS A CITY LANDMARK DISTRICT.

APPROVED (7-0-0)

- c. Discussion and comment regarding the Draft Environmental Impact Report: San Jose Water Land Company Planned Development Rezoning generally bounded by West Santa Clara Street, West San Fernando Street, a planned Santa Clara Valley Transportation Authority light rail station and riparian channels of Los Gatos Creek and the Guadalupe River.

JUDI HENDERSON, PAC SJ, STATED THAT PAC SJ BELIEVES 45 DELMAS QUALIFIES FOR THE CALIFORNIA REGISTER, CONTRARY TO THE EVALUATION INCLUDED IN THE DEIR. AS A CALIFORNIA REGISTER ELIGIBLE BUILDING, BETTER MITIGATION MEASURES SHOULD BE PROPOSED. PAC SJ REQUESTS A PEER REVIEW OF THE ONE INCLUDED IN THE DEIR.

COMMISSIONER LEONG AGREED THAT 45 DELMAS APPEARS TO BE MORE SIGNIFICANT THAN STATED IN THE DEIR, GIVEN THE BUILDING'S INTEGRITY AND WOULD LIKE TO SEE IT RELOCATED.

CHAIR SCIARA NOTED THAT 45 DELMAS DOES NOT HAVE TO BE A CITY LANDMARK TO BE PRESERVED AND FELT IT SHOULD BE RETAINED AS A MITIGATION MEASURE.

COMMISSIONERS FELT THAT PEER REVIEW OF THE EVALUATION IS WORTH PURSUING.

COMMISSIONER POLCYN FELT THE TRANSFORMER HOUSE WOULD LOOK ODD WITHOUT THE OTHER BUILDINGS BEHIND THE WATER COMPANY BUILDING AND QUESTIONED WHETHER THERE IS HISTORIC FABRIC UNDER THE OTHER ALTERED BUILDINGS.

COMMISSIONER YOUNG COMPLIMENTED THE PROPOSED SETBACKS FROM THE WATER COMPANY FOR THE NEW CONSTRUCTION AND RAISED CONCERNS REGARDING THE IMPACTS ON HISTORIC BUILDINGS FROM PILE DRIVING FOR NEW CONSTRUCTION.

COMMISSIONERS DISCUSSED HEIGHT AND MASSING WITH SOME COMMISSIONERS CONCERNED ABOUT IT AND THE IMPACTS TO THE AREA AND ONE COMMISSIONER UNOPPOSED TO IT.

COMMISSIONER YOUMANS MOVED THAT THE STAFF COMPOSE A LETTER CONTAINING THE HLC COMMENTS ON THE DEIR FOR THE CHAIR TO SIGN ON THE COMMISSION'S BEHALF AND FORWARD TO THE PLANNING COMMISSION.

APPROVED (6-1-0) POLCYN OPPOSED.

5. PETITIONS AND COMMUNICATIONS

Public comments to the Historic Landmarks Commission on nonagendized items. Each member of the public may address the Commission for up to two minutes. The Commission cannot take any formal action without the item being properly noticed and placed on an agenda. In response to public comment, the Historic Landmarks Commission is limited to the following options:

1. Responding to statements made or questions posed by members of the public; or
 2. Requesting staff to report back on a matter at a subsequent meeting; or
 3. Directing staff to place the item on a future agenda.
- a. Distribution of the Historic Landmarks Commission comment letter on the Draft supplemental Environmental Impact Report: Civic Plaza Parking Structure Project.

NO DISCUSSION.

- b. Distribution of the Secretary of the Interior's Standards for the Treatment of Historic Properties.

NO DISCUSSION.

Public Comments:

TOM SIMON PAC SJ ASKED IF THE HOUSING DEVELOPER FOR THE CINNABAR COMMONS PROJECT RECEIVED THEIR BOND FINANCING. STAFF RESPONDED THAT THEY DID NOT KNOW.

TOM SIMON PAC SJ STATED THAT A MITIGATED NEGATIVE DECLARATION FOR THE TAMIEN PLACE (ALMA BOWL) SITE HAD BEEN ISSUED. MR. SIMON BELIEVED THAT THE PROPOSED DEMOLITION OF THE ALMA BOWL SHOULD BE BROUGHT TO THE COMMISSION'S ATTENTION.

JUDI HENDERSON PAC SJ NOTED SOME DIFFICULTY PAC SJ IS HAVING WITH SALVAGE PLANS FOR THE MURISON LABEL COMPANY (CINNABAR COMMONS) AND REQUESTED THAT THE COMMISSION ADDRESS THE SUBJECT OF SALVAGE IN A STUDY SESSION, NOTING THAT IT IS AN URGENT NEED.

COMMISSIONERS VOICED INTEREST IN DOING SO. STAFF STATED THAT THEY WOULD NOT BE ABLE TO COORDINATE A STUDY SESSION IN THE NEAR FUTURE, BUT THAT THIS TOPIC COULD BE INCLUDED IN THE COMMISSION RETREAT PLANNED FOR EARLY FALL.

JACK DOUGLAS STATED THAT HE HAD HEARD NEGATIVE REPORTS ABOUT THE CONDITION OF THE WEHNER MANSION.

CHAIR SCIARA ASKED STAFF TO AGENDIZE THE WEHNER MANSION, ALMA BOWL AND DISCUSSION REGARDING SALVAGE AT FUTURE MEETINGS.

6. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS OR OTHER AGENCIES

- a. SP01-035. Special Use Permit to allow the demolition of an administration annex building and construction of a Peace Garden on a 4.96-acre site in the R-1-8 Single-Family Residential Zoning District located on the city block bounded by Naglee Avenue, Park Avenue, Chapman Street, and Randol Avenue (1342 Naglee Avenue) (AMORC, Inc., Owner). Council District 6. CEQA: Exempt.

STAFF PROVIDED A BRIEF OVERVIEW OF THE PROPOSED PROJECT.

TOM SIMON OF PAC SJ QUESTIONED THE USE OF AN EXCEPTION FROM CEQA RATHER THAN A NEGATIVE DECLARATION. SIMON STATED THAT AN EXEMPTION SHOULD ONLY BE USED WHERE THERE IS NO QUESTION OF SIGNIFICANCE.

COMMISSION MEMBERS COMMENTED ON THE PROJECT AND THANKED THE APPLICANT FOR THEIR STEWARDSHIP OF AN IMPORTANT HISTORIC SITE IN SAN JOSE.

STAFF RECOMMENDATION ADOPTED (7-0-0)

- b. Street Naming of private new street at Cinnabar Commons housing project located at the westerly side of Stockton Avenue, between Cinnabar Street and Lenzen Avenue.

NO DISCUSSION.

7. GOOD AND WELFARE

- a. **Report from the Redevelopment Agency**

Report on Greyhound mixed use site development project at 70 South Almaden Avenue.

DOLORES MELLON, SJRA, STATED THAT THE HISTORIC REPORT FOR THIS SITE IS IN DRAFT AND WILL BE SHARED WITH THE COMMISSION IN THE NEAR FUTURE.

Signage at 173 West Santa Clara Street, Lyndon Building (HL92-75).

DOLORES MELLON, SJRA, STATED THAT THE BUILDING WAS TO RECEIVE A FAÇADE IMPROVEMENT GRANT FOR NEW SIGNAGE. THE FUNDS ARE CURRENTLY NOT AVAILABLE AND THE SIGN IS TEMPORARY UNTIL PERMANENT SIGNAGE IS PRODUCED.

Report on the Laundry Works Building at 87 North San Pedro.

THE APPLICATION FOR A TEEN CLUB AT THIS SITE WAS WITHDRAWN.

b. Report from the Secretary

Status of Circulation of Environmental Review Documents

- (1) Draft Environmental Impact Report for Lowe's Home Improvement/ IBM Building 25 at Cottle and Poughkeepsie

STAFF STATED THAT IT IS EXPECTED THAT THIS DEIR WILL CIRCULATE IN LATE JULY.

- (2) Notice of Preparation of a Draft Environmental Impact Report for the GE San Jose Facility General Plan Amendment

STAFF STATED THAT THE NOP WAS SENT TO THE COMMISSION.

Historic preservation Local Government training workshops in Sacramento-- comments from Commissioners and staff

COMMISSIONERS YOUMANS AND LEONG ATTENDED THE WORKSHOP. IT WAS SUGGESTED THAT THE HLC CONSIDER INVITING NAPA BUILDING OFFICIAL CINDY HEITZMAN (A SPEAKER AT THE SACRAMENTO WORKSHOP) TO SAN JOSE FOR A WORKSHOP.

Attendance requirements for Historic Landmarks Commissioners

STAFF REVIEWED THE ATTENDANCE REQUIREMENTS AS PER SECTION 2.08.060 OF THE MUNICIPAL CODE.

Historic Landmarks Commission Retreat in September 2003

COMMISSIONERS DISCUSSED POTENTIAL DATES. STAFF WILL EMAIL SUGGESTED DATES AND IT WILL BE CONFIRMED AT THE AUGUST MEETING.

c. **Report from the Subcommittees**

Design Review

COMMISSIONERS POLCYN AND LEONG NOTED THAT THE DESIGN REVIEW COMMITTEE IS WORKING WITH PLANNING STAFF, SALLY NOTTHOFF ZARNOWITZ, TO FORMALIZE COMMITTEE PROCEDURES.

St. James Park

Ad Hoc Survey Committee

Standard permit language for Historical Archeology

8. ADJOURNMENT

C: Akoni Danielsen, PBCE
Dolores Mellon, SJRA
Erin Morris, PBCE

2003 HISTORIC LANDMARKS COMMISSION MEETING SCHEDULE

DATE	TIME	TYPE OF MEETING	LOCATION
July 16, 2003	12:00 p.m.	Design Review Meeting	Room 400
August 6, 2003	6:00 p.m.	Regular Meeting	Room 205
August 20, 2003	12:00 p.m.	Design Review Meeting	Room 400
September 3, 2003	6:00 p.m.	Regular Meeting	Room 205
September 17, 2003	12:00 p.m.	Design Review Meeting	Room 400
October 1, 2003	6:00 p.m.	Regular Meeting	Room 205
October 15, 2003	12:00 p.m.	Design Review Meeting	Room 400
November 5, 2003	6:00 p.m.	Regular Meeting	Room 205
November 19, 2003	12:00 p.m.	Design Review Meeting	Room 400
December 3, 2003	6:00 p.m.	Regular Meeting	Room 205
December 17, 2003	12:00 p.m.	Design Review Meeting	Room 400

HISTORIC LANDMARKS AGENDA ON THE WEB:

<http://www.ci.san-jose.ca.us/planning/sjplan/Hearings/hearings2003.htm>